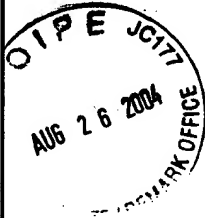


NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)
2503469.991130



In re Application of

Tianci LUO et al.

Application Number

09/734,836

Filed

December 12, 2000

For

BOVINE IMMUNODEFICIENCY VIRUS (BIV) BASED VECTORS

Group Art Unit
1648

Examiner
Ulrike Winkler

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, **February 26, 2004**, rejecting the following claims: **73, 80-106**.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 07-1896. I have enclosed a duplicate copy of this sheet.
- ☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed.

- ☐ attorney or agent of record.
- ☒ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). 33,981

Dean H. Nakamura, Reg. No. 33,981

Typed or printed name

August 26, 2004

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 3 forms are submitted.

Gray Cary Ware & Freidenrich LLP
1625 Massachusetts Avenue, N.W. - Suite 300
Washington, D.C. 20036
Telephone: (202) 238-7725
Facsimile: (202) 238-7701

SEND TO: Assistant Commissioner for Patents, Alexandria, VA 22313-1450.

DC\14009529.1 - 2503469-991130

08/27/2004 HVUONG1 00000038 071896 09734836
02 FC:1401 330.00 DA